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ANSWERING FOOD & DRUG QUERIES - No. 6

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A radio talk by W. G. Campbell, Food and Drug Administration, delivered in the Department of Agriculture period of the National Farm and Home Hour, Wednesday, November 22, 1933, broadcast by a network of 48 NBC radio stations.

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For several weeks I have been explaining to you in the National Farm and Home Hour programs the weak points of the present pure food and drug law and the extreme importance of the Copeland bill, Senate 1944, which is designed to take its place. I have explained that the Copeland bill retains all of the valuable features of our present food and drug law but that it will plug up loopholes revealed by 25 years of experience in enforcing it.

I have told you that the present law does not control the sale of cosmetics containing poisonous ingredients. I have illustrated the need for governmental control of dangerous cosmetics by citing cases of blindness caused by the use of a cosmetic containing a poisonous aniline dye. I have shown you that there are on the market, freely distributed, medicinal products which are extremely injurious to the user. I have spoken of poisons in foods and pointed out that there is a need for granting the government increased authority to control interstate shipments of such foods or to establish safe tolerances for the amount of poisons which they may contain. I have spoken of the filthy and insanitary conditions found in the occasional food manufacturing plant. I have explained that under the present pure food and drug law the Federal government has no authority to control these conditions. But the Copeland bill if enacted will grant the government adequate authority. In brief, I have explained why the Department of Agriculture has considered it necessary, with President Roosevelt's approval, to draft an entirely new food and drugs act to take the place of Dr. Harvey W. Wiley's famous, but out-moded, law. Senate 1944 is designed to do just that.

It seems to me that the Copeland bill, so badly needed today, should receive the united and wholehearted support of all American consumers. I believe that consumers who understand its provisions and the need for it do support the measure. It would be natural to expect that ethical manufacturers--who I am perfectly certain are in the majority--would likewise see in the Copeland bill a better protection for consumers and also a means of increasing their own business. Certainly this new law will harm no reputable manufacturer. There is no doubt that if passed the Copeland bill, through eliminating dishonest elements of the industries, will protect conscientious manufacturers far better than the present law, for it is the deliberate purpose of the Copeland bill to take business racketeering out of the food and medicine fields.

In spite of the obvious merits of this new measure it is becoming evident that its passage by Congress is going to be bitterly opposed. Opposition from the racketeers and chiselers is natural and is to be expected. I have little fear that the racketeering manufacturers alone can defeat the Copeland bill. But it is becoming increasingly evident that they are trying and to some extent have succeeded by a campaign of misinformation as to the real purposes of the bill, in arousing opposition to the new law on the part of many ethical manufacturers. They have gone further. They have tried to mislead the business offices of influential newspapers into opposing this vitally necessary bill. Some of these papers have been misled, and in turn have convinced a certain element of the public that this bill constitutes a deep-laid bureaucratic plot against the public welfare. Other news papers I am glad to say have refused to be

misled and are actively and intelligently supporting the measure.

But open war has been declared against the Copeland bill on several fronts and certain elements in the industries are now rolling out their heaviest artillery to defeat it. Patent medicine manufacturers especially have announced their opposition. They declare untruthfully that the new bill will prevent self-medication or the treatment of minor bodily disorders in the home. They assert that offenders will be denied their constitutional right of trial by the courts, alleging that instead they will be made the victims of czaristic powers of the Secretary of Agriculture. They contend, in short, that this proposed measure is not only oppressive to honorable business but is against public interest. Let us see whether these contentions can be true.

In the first place it is incredible that this new law is intended to put a stop to self-medication. If this were its object, certainly the men who drew up the bill would not have gone to so much trouble to insert provisions requiring that the medicines with which you treat yourself shall be honestly labeled and safe. The Copeland bill aims to protect you in using medicines, not to prevent you from treating minor ills at home.

Secondly, the manufacturer is not denied his day in court. It is true that the Secretary of Agriculture is given certain authority and responsibilities in the enforcement of the new bill. Some government official must be charged with the duty of enforcing every law. But the grants of authority given the Secretary in this bill are restricted to regulations to protect the public health and to protect the consumer against deception in fields too complex and shifting for inflexible legislative formulae. In every case the Secretary's regulations are subject to court review and would be held invalid by the courts of unreasonable or arbitrary. The courts and not the Secretary of Agriculture will have the final authority in the interpretation of every provision of the law and of every regulation issued under it. Every manufacturer who is held to have violated the provisions of the statute will be accorded his constitutional right to have his case tried in court.

Within a few blocks of this studio where I am speaking we have on display numerous samples of just the kind of foods, drugs and cosmetics which should never be offered for sale. I have told you about some of them in these talks. The sale of any sample in this exhibit would either endanger your health or defraud you. In this so-called "Chamber of Horrors" are numerous exhibits of cosmetics which will poison you, blind you, or otherwise injure you. They are exceptional cases but nevertheless they exist. We have numerous examples of foods which are not what they purport to be and which would cheat you definitely if you purchased them. One of the most startling exhibits of our collection is a patent medicine labeled with curative claims for that dread disease, diabetes. I have mentioned the product before, and I have pointed out that the government has not been successful in removing this worthless nostrum from sale. I believe I have told you that this nostrum which is nothing more than an extract of a common weed, could be no more useful in the treatment or cure of diabetes than ordinary tap water. Yet scores have relied in vain upon it and have died from diabetes following its use.

Now these exhibits in the government's "Chamber of Horrors" are not obsolete as the patent medicine industry has contended. If this were so--if these products had been removed from the market by the present food and drugs act--apparently there would be no occasion for requiring a revised law to be placed upon the statute books. But the fact of the matter is, these abuses are current. These dangerous products are being daily distributed to the unwitting consumer. People are being ruined in health and the government is doing nothing about it because the law will not control these products. I have said before and I say again that the majority of our manufacturers are honest and law-abiding. I agree that no decent manufacturer would perpetrate these frauds and horrors. For that very reason the decent manufacturers, the advertising media and every American consumer should welcome and endorse this effort of the government in the interest of a safer, purer and more honest food, drug and cosmetic supply.

The Department of Agriculture in advocating this legislation is concerned with only one thing. The people of the United States must be given a square deal. That square deal will equally apply to all honest, ethical manufacturers of foods, drugs and cosmetics.

If you wish to inform yourself about this proposed new food and drug bill of Senator Copeland's--and it is important that you do so--write your Senator or Congressman for a copy of Senate 1944. If you want additional information on the matter write the Food and Drug Administration in Washington, D. C.
